

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2872 - SB 2697

February 24, 2022

SUMMARY OF BILL: Prohibits a state entity, local government entity, or a political subdivision of the state, having control of public property, from:

- Renaming a memorial, including a public building named after a historical figure, entity, or event;
- Relocating, removing, altering, obscuring from view, renaming, dishonoring, disparaging, or reinterpreting with competing signage, wording symbols, objects, or other types or means of communication, a memorial; or
- Disturbing a memorial located on public property or knowingly allowing an individual or entity to do so.

Establishes a fine of \$10,000, against any such state entity, local government entity or political subdivision of the state found in violation of the aforementioned prohibitions. Such fine shall continue to be assessed until the violating entity has taken full restorative action to comply, including the return of each protected memorial to its original location and condition.

Requires that fines assessed pursuant to this act be collecting by the Attorney General and Reporter, to be deposited into the newly created Tennessee Historic Preservation Fund (Fund), for the preservation, repair, refurbishment, and conservation of memorials. If the Attorney General and Reporter is unable to promptly collect any such fine, it is required to file suit in a court of competent jurisdiction to collect the fine.

Requires the Attorney General and Reporter to seek all remedies at law to preserve and restores such memorials to their original names, locations, and conditions with the Tennessee Historical Commission.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- This legislation establishes a new fine against state and local governmental entities which violate the provisions outlined in this legislation.
- Such fine is set at \$10,000.

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- It is unknown how many state or local government entities will violate any such provision.
- It is assumed that such governmental entities will follow the law as amended by this legislation to avoid the \$10,000 penalty; therefore, no significant impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jb